

 **ORIGINAL**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -x

UNITED STATES OF AMERICA

:

SUPERSEDING

-v.-

:

INDICTMENT

PATRICK NAYYAR, and
CONRAD STANISCLAUS MULHOLLAND,
a/k/a "Conrad Stan,"
a/k/a "Stan,"

:

S1 09 Cr. 1037 (RWS)

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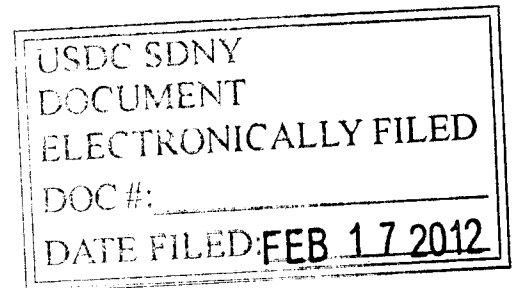
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Defendants.

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COUNT ONE



Conspiracy To Provide Material Support Or
Resources To A Foreign Terrorist Organization

The Grand Jury charges:

1. From at least in or about July 2009, up to and including in or about September 2009, in the Southern District of New York and elsewhere, PATRICK NAYYAR, CONRAD STANISCLAUS MULHOLLAND, a/k/a "Conrad Stan," a/k/a "Stan," the defendants, and others known and unknown, knowingly did combine, conspire, confederate, and agree together and with each other to provide "material support or resources," as that term is defined in Title 18, United States Code, Section 2339A(b)(1), namely, property, tangible and intangible, and service, including weapons, ammunition, and vehicles, to Hizballah, a designated foreign terrorist organization pursuant to Section 219 of the Immigration and Nationality Act, in violation of Title 18, United States Code, Section 2339B.

2. It was a part and an object of the conspiracy that PATRICK NAYYAR, and CONRAD STANISCLAUS MULHOLLAND, a/k/a "Conrad Stan," a/k/a "Stan," the defendants, agreed to provide, through a confidential informant working with the Federal Bureau of Investigation, guns, ammunition, vehicles, bulletproof vests, and nightvision goggles, to Hizballah, and did provide to the confidential informant, among other things, a handgun, a box of ammunition, and a pick-up truck, knowing that Hizballah was a designated terrorist organization (as defined in Title 18, United States Code, Section 2339B(g)(6)), that Hizballah had engaged and was engaging in terrorist activity (as defined in Section 212(a)(3)(B) of the Immigration and Nationality Act), and that Hizballah had engaged and was engaging in terrorism (as defined in Section 140(d)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989), in violation of Title 18, United States Code, Section 2339B.

(Title 18, United States Code, Section 2339B.)

COUNT TWO

Provision of Material Support Or
Resources To A Foreign Terrorist Organization

The Grand Jury further charges:

3. From at least in or about July 2009, up to and including in or about September 2009, in the Southern District of New York and elsewhere, PATRICK NAYYAR, CONRAD STANISCLAUS MULHOLLAND, a/k/a "Conrad Stan," a/k/a "Stan," the defendants,

and others known and unknown, knowingly did provide and attempt to provide "material support or resources," as that term is defined in Title 18, United States Code, Section 2339A(b)(1), namely, property, tangible and intangible, and service, including weapons, ammunition, and vehicles, to Hizballah, a foreign terrorist organization pursuant to Section 219 of the Immigration and Nationality Act, knowing that Hizballah was a designated terrorist organization (as defined in Title 18, United States Code, Section 2339B(g)(6)), that Hizballah had engaged and was engaging in terrorist activity (as defined in Section 212(a)(3)(B) of the Immigration and Nationality Act), and that Hizballah had engaged and was engaging in terrorism (as defined in Section 140(d)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989).

(Title 18, United States Code, Sections 2339B, 2.)

COUNT THREE

Conspiracy To Make Or Receive A Contribution Of Funds, Goods, Or Services To, And For The Benefit Of, Hizballah

The Grand Jury further charges:

4. From at least in or about July 2009, up to and including in or about September 2009, in the Southern District of New York and elsewhere, PATRICK NAYYAR, and CONRAD STANISCLAUS MULHOLLAND, a/k/a "Conrad Stan," a/k/a "Stan," the defendants, United States persons, willfully, and knowingly violated a regulation issued under Chapter 35 of Title 50, United States

Code, to wit, the defendants, along with others known and unknown, did combine, conspire, confederate, and agree together and with each other to make a contribution of funds, goods, and services to and for the benefit of, Hizballah, a specially designated terrorist organization, as defined in Title 31, Code of Federal Regulations, Section 595.311, by agreeing with others to provide to Hizballah, through a confidential informant working with the Federal Bureau of Investigation, guns, ammunition, vehicles, bulletproof vests, and nightvision goggles.

(Title 50, United States Code, Section 1705(a); Title 31, Code of Federal Regulations, Sections 595.204, 595.205, 595.311.)

COUNT FOUR

Making Or Receiving A Contribution Of Funds,
Goods, Or Services To, And For The Benefit Of, Hizballah

The Grand Jury further charges:

5. From at least in or about July 2009, up to and including in or about September 2009, in the Southern District of New York and elsewhere, PATRICK NAYYAR, and CONRAD STANISCLAUS MULHOLLAND, a/k/a "Conrad Stan," a/k/a "Stan," the defendants, United States persons, willfully, and knowingly violated a regulation issued under Chapter 35 of Title 50, United States Code, to wit, the defendants, along with others known and unknown, attempted to and did make a contribution of funds, goods, and services to and for the benefit of Hizballah, a specially designated terrorist organization, as defined in Title

31, Code of Federal Regulations, Section 595.311, in that the defendants attempted to and did provide to Hizballah, through a confidential informant working with the Federal Bureau of Investigation, a handgun, a box of ammunition, and a pick-up truck.

(Title 50, United States Code, Section 1705(a); Title 31, Code of Federal Regulations, Sections 595.204, 595.205, 595.311; and Title 18, United States Code, Section 2.)

COUNT FIVE

Firearms and Ammunition Trafficking Conspiracy

The Grand Jury further charges:

6. From at least in or about July 2009, up to and including in or about September 2009, in the Southern District of New York and elsewhere, PATRICK NAYYAR and CONRAD STANISCLAUS MULHOLLAND, a/k/a "Conrad Stan," a/k/a "Stan," the defendants, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit offenses against the United States, to wit, to violate Title 18, United States Code, Sections 922(a)(1)(A), 922(a)(1)(B), and 922(a)(5).

7. It was a part and an object of the conspiracy that PATRICK NAYYAR and CONRAD STANISCLAUS MULHOLLAND, a/k/a "Conrad Stan," a/k/a "Stan," the defendants, and others known and unknown, not being licensed importers, licensed manufacturers, and licensed dealers, knowingly would and did engage in the

business of importing, manufacturing, and dealing in firearms, and in the course of such business did ship, transport, and receive firearms in interstate and foreign commerce, in violation of Title 18, United States Code, Section 922(a)(1)(A).

8. It was a further part and an object of the conspiracy that PATRICK NAYYAR and CONRAD STANISCLAUS MULHOLLAND, a/k/a "Conrad Stan," a/k/a "Stan," the defendants, and others known and unknown, not being licensed importers, licensed manufacturers, and licensed dealers, knowingly would and did engage in the business of importing, manufacturing, and dealing in ammunition, and in the course of such business did ship, transport, and receive ammunition in interstate and foreign commerce, in violation of Title 18, United States Code, Section 922(a)(1)(B).

9. It was a further part and an object of the conspiracy that PATRICK NAYYAR and CONRAD STANISCLAUS MULHOLLAND, a/k/a "Conrad Stan," a/k/a "Stan," the defendants, and others known and unknown, not being licensed importers, licensed manufacturers, and licensed dealers, knowingly would and did transfer, sell, trade, give, transport, and deliver firearms to another person, who was not a licensed importer, licensed manufacturer, licensed dealer, and licensed collector, and who NAYYAR and MULHOLLAND knew and had reasonable cause to believe did not reside in the State in which NAYYAR and MULHOLLAND

resided, in violation of Title 18, United States Code, Section 922(a)(5).

OVERT ACTS

10. In furtherance of the conspiracy and to effect the illegal object thereof, PATRICK NAYYAR and CONRAD STANISCLAUS MULHOLLAND, a/k/a "Conrad Stan," a/k/a "Stan," the defendants, and others known and unknown, committed the following overt acts, among others, in the Southern District of New York and elsewhere:

a. On or about August 5, 2009, NAYYAR and MULHOLLAND, met with a confidential informant in an apartment located in Queens County, New York.

b. On or about August 5, 2009, NAYYAR sold, among other things, a handgun to a confidential informant.

c. On or about August 5, 2009, NAYYAR sold, among other things, hollow point ammunition to a confidential informant.

d. On or about August 7, 2009, NAYYAR and MULHOLLAND met with the confidential informant and discussed, among other things, shipping firearms from Georgia to New York.

e. On or about August 8, 2009, NAYYAR and MULHOLLAND met with a confidential informant in New York, New

York, and discussed, among other things, NAYYAR and MULHOLLAND traveling to Atlanta, Georgia, to obtain firearms for the confidential informant.

(Title 18, United States Code, Section 371.)

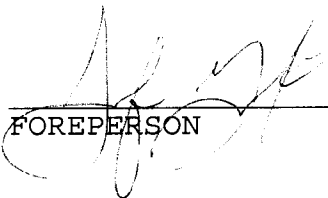
COUNT SIX


Illegal Possession of a Firearm and Ammunition

The Grand Jury further charges:

11. From at least on or about August 3, 2009, up to and including on or about August 5, 2009, in the Eastern District of New York and elsewhere, PATRICK NAYYAR, the defendant, willfully, and knowingly, being an alien who was illegally and unlawfully in the United States, did possess in and affecting commerce a firearm, to wit, a Colt Delta Elite Auto Handgun, and ammunition, to wit, 48 Winchester, 10mm, automatic, subsonic, 180 grain, jacketed hollow point bullets, which previously had been shipped and transported in interstate and foreign commerce.

(Title 18, United States Code, Sections 922(g)(5), 2.)


FOREPERSON


PREET BHARARA
United States Attorney

UNITED STATES DISTRICT COURT
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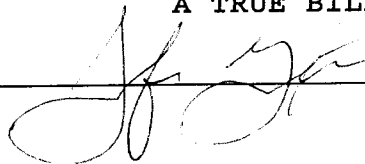
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(18 U.S.C. §§ 2339B, 2;
50 U.S.C. § 1705(a);
18 U.S.C. §§ 922(g)(5), 2;
18 U.S.C. § 371.)

PREET BHARARA

United States Attorney.

A TRUE BILL



2/17/12
Foreperson.

2/17/12 - Filed Superseding Indictment. Case Sealed.
J. Gorenstein
U.S.M.J.